

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

12/21/2005 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 04-00360DAE
CASE NAME: USA v. Duane Pereira
ATTYS FOR PLA: Marshall Silverberg
ATTYS FOR DEFT: Michael Weight
USPO: Mona Godinet

JUDGE:	David Alan Ezra	REPORTER:	Cynthia Fazio
DATE:	12/21/2005	TIME:	9:45am-10:15am

COURT ACTION: EP: Sentencing to Count 1 of the Indictment as to Defendant Duane Pereira.

Defendant Duane Pereira present, not in custody.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant Duane Pereira.

SENTENCE:

Imprisonment: 27 MONTHS

Supervised Release: 3 YEARS

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any crimes, federal, state, or local.
3. Defendant shall not possess illegal controlled substances.
4. Defendant shall cooperate in the collection of DNA as directed by the

probation officer.

5. Defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision.
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. Defendant shall participate in and comply with substance abuse treatment, which includes drug and alcohol testing in a program approved by the Probation Office. Defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. Defendant shall execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
9. Defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

Special Assessment: \$100.00.

JUDICIAL RECOMMENDATIONS: FCI Sheridan, OR. Drug treatment. Mental health treatment. Educational and Vocational training.

Defendant advised of his right to appeal.

Mittimus forthwith.

Defendant remanded to the custody of U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager